

## REMARKS

Claims 1-5 were presented for prosecution. Claims 1, 2 and 5 were rejected under 35 USC 102(e) as allegedly being anticipated by De Boer et al., WO 03/019279 (hereafter “De Boer”). Claim 3 was rejected under 35 USC 103(a) as allegedly being unpatentable over De Boer in view of Ackley et al., US 6,375,899. Claim 4 was rejected under 35 USC 103(a) as allegedly being unpatentable over De Boer in view of Ukigaya, US 6,873,451. Applicant has herein amended claim 4, and added new claims 5, 6 and 7. No new matter is believed added.

Initially, Applicant submits that De Boer does not qualify as a proper prior art because WO 03/019279 does not designate the US, as required under 35 USC 102(e). As such, each of the rejections based on De Boer are improper, and therefore should be withdrawn.

In addition to the fact that WO 03/019279 is not a proper 102(e) reference, Applicant further submits that the application is allowable for the following reasons. With regard to new claim 5, Applicant recites, *inter alia*, “an obstructing element arranged behind a front substrate.” De Boer instead teaches a device having a mask located on an exterior region of a front substrate.

With regard to the rejection of claim 4, Applicant submits that the cited combination fails to teach or suggest, *inter alia*, “wherein a portion of an additional component is positioned between a back substrate and the reflective element.” Ukigaya merely teaches a “reflective layer (not shown) arranged *on* the first substrate.” (Emphasis added). Nowhere does Ukigaya teach or suggest arranging a reflective layer above a component. New claim 8 includes a similar feature, namely, “wherein at least a portion of a source electrode is positioned beneath the reflective element.” Because Ukigaya fails to teach or suggest such a feature, Applicant submits that claims 4 and 8 are allowable over the art of record.

Applicant submits that new claim 7 is likewise allowable because none of the cited references include, for example, a feature wherein “a portion of both a storage capacitor and a gate electrode is positioned beneath the obstructing element.” De Boer merely teaches placing switching electrodes below the mask.

The remaining claims are believed allowable for the reasons stated above, as well as for their own additional features.

Applicant respectfully submits that the application is in condition for allowance. If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicant’s undersigned representative at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Hoffman", with a horizontal line extending to the right.

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Michael F. Hoffman  
Reg. No. 40,019

Dated: 1/10/07

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